

**SOAH DOCKET NO. 582-12-3195**  
**TCEQ DOCKET NO. 2011-1684-UCR**

<b>APPLICATION OF THE CITY OF</b>	<b>§</b>	<b>BEFORE THE STATE OFFICE</b>
<b>TYLER TO AMEND CERTIFICATE</b>	<b>§</b>	
<b>OF CONVENIENCE AND</b>	<b>§</b>	<b>OF</b>
<b>NECESSITY NO. 20319</b>	<b>§</b>	
<b>(APPLICATION NO. 37037-C)</b>	<b>§</b>	<b>ADMINISTRATIVE HEARINGS</b>

**TYLER'S UNOPPOSED MOTION FOR EXTENSION OF TIME**

TO THE HONORABLE COMMISSIONERS:

COMES NOW, the City of Tyler and requests the Commission grant this Unopposed Motion for Extension of Time to file Exceptions and Replies to the Proposal for Decision and in support thereof would show as follows:

1. On January 11, 2013, the Honorable Administrative Law Judge Scudday issued his Proposal for Decision in the referenced docket.

2. In the cover letter to the Commission, ALJ Scudday set a deadline for filing Exceptions to the PFD for January 31, 2013, and a deadline for Replies to Exceptions to the PFD for February 11, 2013.

3. Counsel for Tyler and counsel for the Executive Director are currently participating in a hearing on the merits in another matter that is scheduled to start on January 15, 2013, and continue for 10 days. Counsel for Tyler and counsel for Tall Timbers are currently participating in the briefing a PFD in another case, in which replies to exceptions are due on January 22, 2013. The press of this work will make it difficult for counsel for Tyler to adequately prepare Tyler's exceptions by January 31, 2013.

4. Counsel for Tyler has conferred with counsel for the Executive Director, Office of Public Interest Counsel, and Tall Timbers Utility Company. Counsel for all parties have indicated that they do not oppose the extension requested in this Motion.

5. No danger, harm, or prejudice would be created by extending the deadline for parties to file their exceptions to the PFD for seven days, until February 7, 2013, and by extending the deadline to file replies to exceptions for seven days, until February 18, 2013, or later.

6. Tyler respectfully requests that the General Counsel, on behalf of the Commission, extend the deadline for filing exceptions to the PFD seven days, until February 7,

2013, and extend the deadline to file replies to exceptions to the PFD at least seven days, until February 18, 2013, or later.

7. This Motion is not filed for the purpose of delay, but so that justice may be done.

**PRAYER**

For the foregoing reasons, Tyler requests the General Counsel, on behalf of the Commission, grant this Unopposed Motion for Extension of Time and extend the deadline for filing exceptions to the PFD seven days, until February 7, 2013, and extend the deadline to file replies to exceptions to the PFD at least seven days, until February 18, 2013, or later.

Respectfully submitted,

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**ATTORNEYS FOR  
THE CITY OF TYLER**

## CERTIFICATE OF SERVICE

I hereby certify that on this the 14<sup>th</sup> day of January, 2013, a true and correct copy of the foregoing document was served on the individuals listed below by hand deliver, email, facsimile or First Class Mail.

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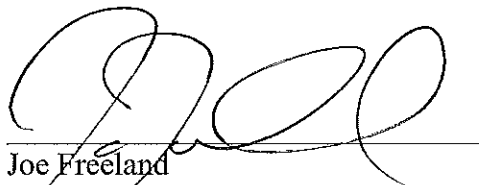
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